

BELLSOUTH

EX PARTE OR LATE FILED

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March 27, 1997

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Federal Communications Commission
Office of Secretary

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, NW, Room 222
Washington, DC 20554

RE: Amendment of the Commission's Rules to Establish Competitive Service
Safeguards for Local Exchange Carrier Provision of Commercial Mobile
Radio Services, WT Docket 96-162 Ex Parte

Dear Mr. Caton:

On March 27, 1997, Charles P. Featherstun, David Frolio and Ben Almond, all of BellSouth Corporation met with Suzanne Toller of Commissioner Chong's office concerning the above referenced proceeding. The attached document provides the primary discussion points made during the course of the meeting.

Please associate this notification and accompanying document with the docket proceeding.

If there are any questions, please contact the undersigned.

Sincerely,



Ben G. Almond
Executive Director-Federal Regulatory

Attachment

cc: Suzanne Toller

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BELLSOUTH CORPORATION
Ex Parte Presentation; WTB Docket No. 96-162
March 27, 1997

THE FCC HAS RECOGNIZED THE NEED FOR REGULATORY PARITY.

- The NPRM and the Sixth Circuit both recognize the need for the Commission to implement regulatory parity. Such parity should address parity among LECs and among CMRS services.
- The issues in this proceeding revolve around when the FCC will implement regulatory parity and how it will be implemented.

REGULATORY PARITY SHOULD BE IMPLEMENTED IMMEDIATELY.

- BOCs should not have to wait for Section 271 relief; Section 271 was drafted to address interLATA relief, not §22.903.

**SECTION 22.903 SHOULD BE ELIMINATED; ADDITIONAL
REGULATORY BURDENS SHOULD NOT BE PLACED ON PCS
LICENSEES.**

**THERE IS NO BASIS FOR ADDITIONAL REGULATION OF LEC/CMRS
OPERATIONS.**

- The FCC already addressed the issue of LEC/PCS operations in its 1993 PCS order. The FCC should not revisit this issue and impose additional obligations on PCS operations.
- The FCC should interfere with the marketplace only in narrowly defined examples of market failure.

THE FCC SHOULD NOT PROHIBIT THE SHARED USE OF FACILITIES.

- It would be inefficient to require LECs and CMRS providers to construct redundant facilities in situations where such facilities could be shared.

**ANY ADDITIONAL REGULATIONS SHOULD SUNSET ON A DATE
CERTAIN.**

- In the absence of a sunset provision, the any regulations will continue well beyond their potential utility through regulatory inertia.
- All regulations should sunset by July 1, 1998.